

Pursuant to the Court's July 18, 2023 order (ECF No. 52), the parties respectfully submit this joint status report. The July 18 order continued the stay in these proceedings and directed the parties to file a joint status report on August 1, 2023 and every 45 days thereafter.

As stated in the parties' previous Joint Status Report, counsel for the parties have reached a tentative agreement in principle on a methodology by which the parties believe some of these CSR cases can be settled, including this case. This settlement methodology has been reviewed by officials at both the Department of Health and Human Services and the Department of Justice, but the actual settlement of each CSR case applying that methodology must be approved and accepted by Defendant and each participating CSR plaintiff before it can be finally authorized. Defendant is proposing for the plaintiffs' consideration a process to gather and verify certain relevant data to determine and calculate the damages that may be owed to a given CSR plaintiff insurer for a given year pursuant to the agreed-upon methodology. Once the agreed-upon relevant data is gathered and verified, each plaintiff will have the option of participating in the proposed settlement process or continuing instead with litigation, subject to the approval process

described above. The parties also are working to complete a draft form settlement agreement and release to be used by the parties as a template for each case that the parties have agreed to settle.

Defendant shared a draft settlement agreement template with plaintiffs on December 1, 2023, and expects to share a timeline for its proposed data gathering and verification process to plaintiffs by December 15, 2023. Therefore, the settlement agreement and approval process for these CSR cases will take additional time to complete. We thus respectfully request that the Court continue the stay in this case, and, pursuant to the Court's July 18 order, the parties will file a Joint Status Report on or before January 29, 2024 to update the Court on the status of their efforts to fully resolve this matter.

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